

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF MAINE**

<b>JAFFAR DOWNIE,</b>	)	
	)	
<b>PETITIONER</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL No. 2:18-cv-187-DBH</b>
	)	
<b>STATE OF MAINE,</b>	)	
	)	
<b>RESPONDENT</b>	)	

**ORDER AFFIRMING RECOMMENDED DECISION  
OF THE MAGISTRATE JUDGE**

On May 14, 2018, the United States Magistrate Judge filed with the court, with a copy to the petitioner, his Recommended Decision on Habeas Petition. The petitioner filed an objection to the Recommended Decision on June 7, 2018. I have reviewed and considered the Recommended Decision, together with the entire record; I have made a *de novo* determination of all matters adjudicated by the Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in the Recommended Decision, and determine that no further proceeding is necessary.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. An evidentiary hearing is not warranted under Rule 8 of the Rules Governing Section 2254 Cases. The petitioner's motion for habeas relief under 28 U.S.C. § 2254 is **DISMISSED WITHOUT PREJUDICE**. No certificate of appealability pursuant to Rule 11 of the Rules Governing Section 2254 Cases shall issue because there is no substantial showing of the denial of a

constitutional right within the meaning of 28 U.S.C. § 2253(c)(2). The petitioner must pursue his remedies in state court.

**SO ORDERED.**

**DATED THIS 25<sup>TH</sup> DAY OF JUNE, 2018**

/s/D. BROCK HORNBY  
**D. BROCK HORNBY**  
**UNITED STATES DISTRICT JUDGE**